

SEP 11 2007

DATE

CLERK

J. MICHAEL MAIAHON

CLERK OF THE UNITED STATES DISTRICT COURT
BY MICHAEL MAIAHON

Clerk of this Court within a reasonable period of time after service.
for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the
of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you
an answer to the complaint which is served on you with this summons, within _____ days after service.

PLUNKETT & DONNAN, 401 Broadway, #912, NY, NY 10013

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

ANDREA QUARANTILLO, New York, NY 10278

26 Federal Plaza

New York District Director of U.S. Citizenship and Immigration Services

TO: (Name and address of Defendant)

CASE NUMBER
02 CIV 7980

Director of U.S. Citizenship and Immigration Svcs
ANDREA QUARANTILLO, New York District

V.

SUMMONS IN A CIVIL ACTION

NADEEM AMIN

New York

District of

Southern

UNITED STATES DISTRICT COURT

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

RETURN OF SERVICE	
Service of the Summons and complaint was made by me (I)	
NAME OF SERVER (PRINT)	TITLE
Check one box below to indicate appropriate method of service	
<input type="checkbox"/> Served personally upon the defendant. Place where served:	
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.	
<input type="checkbox"/> Retained unexecuted.	
Name of person with whom the summons and complaint were left:	
<input type="checkbox"/> Other (specify): _____	
STATEMENT OF SERVICE FEES	
SERVICES	TOTAL
DECLARATION OF SERVER	
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.	
_____ Signature of Server	
_____ Address of Server	
_____ Date	
_____ Executed on	

her official capacity.

New York district pursuant to 8 U.S.C. § 1421 and 8 U.S.C. § 1427. Defendant is sued in authority to grant or deny naturalization applications submitted to the USCIS within the authority over all operations of the USCIS within the New York district, including the United States Citizenship and Immigration Services ("USCIS") with the supervisory Defendant Andrea Quarantillo is the New York District Director of the

registration number is A46 876 130.

currently resides at 1978 Second Ave., #2-A, New York, NY 10029. His alien hereinafter mentioned Plaintiff was and still is a resident of New York County. He lawful permanent resident of the United States since 15 April 1999. At all times Plaintiff Nadir Amin is a native and citizen of Pakistan. He has been a

on the ground that Defendant has failed to make a determination under 8 U.S.C. § 1446.

PETITION FOR HEARING
ON NATURALIZATION
APPLICATION

USCIS No. A46 876 130

1. This is a petition for a hearing of Plaintiff's application for naturalization
X
Defendant.

U.S. Citizenship and Immigration Services
New York District Director of

ANDREA QUARANTILLO,

Plaintiff,
-against-
X
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES DISTRICT COURT
NADIR AMIN

Judge Paulley

hearing pursuant to 8 U.S.C. § 1447(b).

within the 120 day statutory period allows Plaintiff to bring the matter to this Court for a

10. The Defendant's failure to make a determination of Plaintiff's application

Defendant has made no decision on Plaintiff's application.

9. More than 120 days have passed since the initial examination and the

Plaintiff has no criminal record and presents no security risk.

results of a mandated agency security check, the purpose of which is to confirm that

status of this case. On each occasion, Plaintiff has been told the case is pending the

8. Over the past 15 months, Plaintiff has made repeated inquiries into the

Exhibit 1 (Copy of "Naturalization Interview Results" notice, issued by USCIS).

and government tests. Plaintiff was advised in writing that he passed these tests. See

7. At his examination, Plaintiff passed the English language and U.S. history

on Form N-400. On 24 May 2006 he was examined on that application.

6. On or about 1 April 2004, Plaintiff filed an application for naturalization

CAUSE OF ACTION

brought in the District in which Plaintiff resides.

an action against officers and agencies of the United States in their official capacities,

5. Venue is proper in this court pursuant to 8 U.S.C. § 1447(b) in that this is

VENUE

§ 2201. Relief is requested pursuant to said statutes.

4. Jurisdiction in this case is proper under 8 U.S.C. § 1447(b), and 28 U.S.C.

JURISDICTION

11. Plaintiff desires a judicial determination of his naturalization application and a declaration that he is entitled to be naturalized as a citizen of the United States. A period in excess of one year should be more than sufficient time to complete the security check and adjudicate this application.

WHEREFORE, in view of the arguments and authority noted herein, Plaintiff respectfully requests that, upon due consideration, the Court agree to hear Plaintiff's case and render a declaratory judgment that he is entitled to be naturalized, and grant such other relief as justice may require.

Dated: 22 August 2007

Brian Donahid - BD 7318
Council for Plaintiff
401 Broadway, Suite 912
New York, New York 10013
(212) 219-9866

MILINKETT & DONAHID
Respectfully submitted,